

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In The Matter Of The Petition Of)	Docket No. DR08-36
)	
KO OLINA DEVELOPMENT, LLC)	KO OLINA DEVELOPMENT, LLC
)	
To Amend The Agricultural Land Use)	
District Boundary into the Urban Land)	
Use District for approximately 642 acres)	
At Honouliuli, Ewa, Oahu, Tax Map)	
Keys: 9-1-14: Portion of Parcel 2; 9-1-15:)	
3, 6, 7, 10, Portion of Parcel 4; 9-2-03: 3,)	
7, Portion of 2)	
_____)	

**KO OLINA DEVELOPMENT, LLC'S BOAT
LAUNCH RAMP SEVENTEENTH STATUS REPORT**

EXHIBITS "A" - "B"

AND

CERTIFICATE OF SERVICE

OF COUNSEL:
MATSUBARA – KOTAKE
A Law Corporation

BENJAMIN M. MATSUBARA, #993-0
CURTIS T. TABATA, #5607-0
WYETH M. MATSUBARA, #6935-0
888 Mililani Street, Eighth Floor
Honolulu, Hawai'i 96813
Telephone: 526-9566

Attorneys for KO OLINA DEVELOPMENT,
LLC

2014 JAN 16 P 2:24
LAND USE COMMISSION
STATE OF HAWAII

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**KO OLINA DEVELOPMENT, LLC'S BOAT
LAUNCH RAMP SEVENTEENTH STATUS REPORT**

KO OLINA DEVELOPMENT, LLC ("KOD") hereby submits this boat launch ramp Status Report to the State Land Use Commission ("Commission") pursuant to the Commission's request for a follow up hearing on the status of the boat ramp matter.

I. INTRODUCTION

KOD has filed and completed all of the required permit applications, which are able to be filed, on or ahead of schedule. At this time KOD is waiting for the National Pollutant Discharge Elimination System ("NPDES") permit finalization and building permits. KOD, to reiterate prior status reports, has actively and persistently pursued the boat launch ramp project at all times. It goes without saying that delays in the project would result in financial hardships for KOD in terms of rising construction and

consultant fees and costs. Cost projections for the boat launch ramp keep rising the longer KOD has to wait. KOD is undoubtedly committed to moving forward as quickly as possible.

On February 6, 2013, the U.S. Army Corps of Engineers ("Army Corps") approved KOD's Department of Army Permit ("DOAP") and authorized the new boat ramp and loading docks project at Ko Olina Marina subject to conditions. Unfortunately, the permitting process for the DOAP has exceeded our original timeframe estimates for review and approval of the permit for the Boat Ramp project.

Background:

On August 28, 2009, the Commission held its meeting at Leiopapa A Kamehameha, Conference Room 405, 235 South Beretania Street, Honolulu, Hawai'i, for a continued status report on Docket No. DR08-36, KOD pursuant to Condition 4 of the Findings of Fact, Conclusions of Law, and Decision and Order filed November 19, 2008, ("Declaratory D&O") in the matter of the petition for a Declaratory Order in the above-referenced docket.

At the conclusion of the August 28, 2009 status report presentation the Commission instructed KOD to proceed on its proposed plans for the boat ramp and trailer parking lot in the marina and orally requested that KOD submit a quarterly written status report on KOD's progress on relocating the boat launch ramp in the marina.

KOD's First Status Report was filed with the Commission on December 4, 2009. KOD's Second Status Report was filed on March 15, 2010. KOD's Third Status Report was filed on June 14, 2010. KOD's Fourth Status Report was filed on September 13, 2010. KOD's Fifth Status report was filed on December 28, 2010. KOD's Sixth Status report was filed on March 10, 2011. KOD's Seventh Status report was filed on June 3, 2011. KOD's Eighth Status report was filed on August 31, 2011. KOD's Ninth quarterly status report was filed on December 6, 2011. KOD's tenth quarterly status report was filed on March 9, 2012. KOD's Eleventh quarterly status report was filed on June 13, 2012. KOD's Twelfth quarterly status report was filed on September 9, 2012. KOD's Thirteenth quarterly status report was filed on December 14, 2012. KOD's Supplemental to its Thirteenth quarterly status report was filed on January 17, 2013. KOD attended a "Status/Update Report-Boat Launch Ramp" hearing before the Commission and provided an oral status and update of the boat launch ramp on January 24, 2013. KOD filed its Fourteenth quarterly status report on March 15, 2013. KOD's Supplemental to its Fourteenth quarterly status report was filed on April 8, 2013 pursuant to the Commission's request for a follow up status hearing on the boat launch ramp. KOD attended a "Status/Update Report-Boat Launch Ramp" hearing and provided an oral status and update of the boat launch ramp before the Commission on April 19, 2013. KOD's Fifteenth quarterly status report was filed on July 17, 2013. KOD's Sixteenth quarterly status report was filed on October 18, 2013.

KOD hereby submits its Seventeenth Status Report in regards to the status of the boat launch ramp in the marina pursuant to the D&O as set forth above.

II. BOAT LAUNCH RAMP IN THE MARINA STATUS

While KOD is currently in compliance with the obligations within their control regarding the Boat Ramp project schedule submitted to the Commission on July 13, 2009, delays in the permitting process will push back the final completion date of the boat launch ramp. KOD has filed all of the required permit applications, which are able to be filed, on or ahead of schedule. KOD has also continued to monitor and touch base with the permitting authorities as much as possible in an effort to finalize the permit process. KOD has already expended a significant amount of time and capital in this process in the hope that the progression of the boat launch ramp project moves forward as quickly as possible. It is clearly understood that the permitting process is unpredictable and KOD had provided the best time estimates for obtaining the required permits. While KOD has control over when we submit the required permit applications it is clearly outside of our control as to the time it takes for the permitting authority to review, process and grant permits.

Generally, KOD's consultants have finalized the boat launch ramp design based upon the soil borings, soil investigations, topographic survey and bathymetric survey on the ramp area, boat launch area, parking lot and drainage area.

The preliminary master plan continues to be revised and refined to address the results of the soil investigations, various surveys, specific site characteristics, as well as to accommodate where feasible public and boater comments.

As noted in KOD's Sixth quarterly report, consultants finalized and submitted the Conditional Use Permit ("CUP") application for the Boat Ramp project to the City Department of Planning and Permitting ("DPP") in February ahead of schedule. On May 16, 2011, DPP approved the CUP for the boat ramp project.

KOD timely submitted the Department of Army Permit ("DOAP"), a requirement for the Boat Ramp project, to the Army Corps. On May 31, 2012, the State of Hawai'i, Department of Health issued a Section 401 Water Quality Certification for the Boat Launch Ramp and Trailer Parking at Ko Olina Resort and Marina. As the DOAP process had exceeded our initial timeframe expectations and in an effort to expedite matters, KOD, as stated in our Twelfth status report, submitted its building permit applications for construction of the Boat Launch Ramp ahead of time to DPP¹ on November 7, 2012. Although DPP will not issue its final approval of the building permits until the DOAP permit is issued, KOD felt that submitting for the building permits to DPP at that time would help optimize the project schedule going forward.

¹ Normal process would be to wait until all comments are provided by the permitting authority before building permit applications are submitted to DPP. KOD in good faith is assuming the risk of having to make further adjustments to the building permit application if required by the Army Corp at a later date. However, after consultations with the DPP, KOD feels it to be prudent to submit the building permit at this time.

KOD is doing final follow up with DPP and it is expected that DPP will issue the building permits in a timely manner.

On November 30, 2012, the Army Corps sent out a, "NATIONAWIDE PERMITS AGENCY COORDINATION NOTICE And REQUEST FOR EXPEDITED REVIEW" ("Notice") with a response deadline by December 7, 2012 to over 14 Federal, State and City departments regarding KOD's boat launch ramp project. As of December 14, 2012, only the National Oceanic and Atmospheric Administration ("NOAA") and the Historic Preservation Division, Department of Land and Natural Resources ("SHPD") responded to the Army Corps Notice with comments and follow up. NOAA's December 12, 2012 response indicated the requirement for an evaluation of the Essential Fish Habitats ("EFH") for the boat launch ramp project and SHPD indicated the requirement for KOD to provide an archaeological inventory survey ("AIS"), subsurface testing and monitoring of the boat launch ramp project area. KOD, as previously represented, has already retained two well respected consultants, AECOS, Inc. and Hal Hammett of Cultural Surveys Hawaii Inc. ("CSH") to respectively address the respective issues raised in this matter.

On February 6, 2013, the Army Corps approved KOD's DOAP and authorized the new boat ramp and loading docks project at Ko Olina Marina subject to multiple special conditions. Most of the special conditions are somewhat standard special

conditions; however, two (2) special conditions in the DOAP require further follow up by KOD prior to actual construction of the boat ramp.

i. NOAA Special Conditions:

The DOAP contained multiple NOAA special conditions such as providing Best Management Practices Plan ("BMPP") for construction, Endangered Species Act monitoring and hydroacoustic monitoring. However, NOAA's special conditions as to the EFH required further follow up from KOD. The EFH special condition states:

4. For Essential Fish Habitat (EFH) administered by Habitat Conservation Division (HCD), NOAA Fisheries, you must ensure the following conditions:

- a. The contractor that is responsible for executing BMPs should be held responsible for the monitoring and successful implementation of BMPs to avoid impacts to the EFH. Construction should be halted if BMPs are not working effectively and only commence once BMPs have been adjusted to successfully avoid impacts to the marine environment. The monitoring results should be shared with the USACE once construction is completed. NMFS should be notified if BMPs were not successfully implemented to avoid impacts to EFH.
- b. Conserve and restore soil quality with controls that affect soil's ability to regulate water flow, and act as an environmental filter (e.g., permeability, water holding capacity, nutrient availability, organic matter content, and biological activity) with use of low-impact equipment when practicable and avoidance of heavy equipment in water.
- c. Increase landscape buffers to provide protection against the cumulative effects of small, but unavoidable, sediment and pollutant discharges associated with upland improvement runoff. The full range of buffer practices (e.g., filter strips, grassed waterways with vegetative filters, and vegetative barriers) should be systematically deployed, protected and managed across the project landscape.
- d. Incorporate other Low Impact Development (LID) approaches where practicable. Information on LID can be found at: <http://water.epa.gov/polwaste/green/index.cfm>.

On February 21, 2013, KOD, with AECOS' assistance, submitted a response letter with proposals to the Army Corps to address NOAA's EFH and BMPP concerns during the construction of the boat launch ramp project. KOD's believes that its response letter has addressed NOAA's concerns at this time and will continue to follow up and work with the Army Corps/NOAA going forward if necessary.

ii. SHPD Special Conditions:

In regards to SHPD special conditions the DOAP contained the following:

6. You must ensure that the work on uplands (parking lot and access routes) implements measures recommended by the State Historic Preservation Division, Department of Land & Natural Resources.

SHPD recommended the follow relevant measures:

We request archaeological monitoring in TMK: (1) 9-1-057:019 to address the potential of inadvertent finds (including human remains) within the marina area and **an archaeological inventory survey of TMK: (1) 9-1-057:024** to determine if surface and/or subsurface historic properties are present within the project area and, if so, to determine an appropriate course of mitigation for those properties. We request that the applicant submit an inventory survey report for the project area within parcel 024 for review and approval; the report should include all information as specified in HAR §13-276-5. Upon review of the survey report, we will be able to determine whether monitoring is warranted in Parcel 024 as well as Parcel 019.

Regarding SHPD's special condition, CSH has completed its background review, analysis and written section of their report to SHPD and has completed its site investigation of the Ko Olina Marina. CSH finalized its Archaeological Assessment Report ("AA") and submitted the AA to SHPD on May 17, 2013 for review and

processing. The CSH report, as hoped for, indicated to SHPD that there is a “no findings” and that no subsurface assessment is needed for the project site.

On the evening of Friday, September 27, 2013, counsel for KOD received a copy of SHPD’s “Chapter 6E-42 Historic Preservation Review” dated September 24, 2013.

On Monday, September 30, 2013, counsel for KOD confirmed that CSH had also already received the SHPD review letter and was already preparing its follow up response to address the sixteen (16) items that SHPD requested as “issues and concerns” that are in need of revision prior to acceptance of the archaeological inventory survey report. On October 17, 2013, CSH filed its “re-submittal submittal form for the Draft Archaeological Assessment Ko Olina Marina Improvements Honouliuli Ahupua’a, ‘Ewa District, Island of O’ahu TMK: (1) 9-1-057:024” for SHPD review.

On November 12, 2013 SHPD accepted our AA, found that the report adequately addressed the questions and concerns raised, met the requirements of HAR §13-276-5 and in the Secretary of the Interior’s Standards for Archaeological Documentation and confirmed that there is a “no findings” and that no further subsurface assessment is needed for the project site. (See Exhibit “A”)

KOD then sought concurrence from the Dept. of Army that all concerns in the DOAP were now addressed in order to schedule a publication date for the NPDES permit with the State of Hawai‘i, Department of Health, Clean Water Branch. (“DOH-

CWB”) After confirming the resolution of all matters with the Dept. of Army and conferring with the DOH-CWB regarding a notice and publication date for public notice regarding the NPDES permit, the DOH-CWB issued the actual form of notice and authorized KOD to arrange to published its public notice regarding the Ko Olina Marina project on December 26, 2013, the notice was published in the Star-Advertiser newspaper. (See Exhibit “B”)

The public review and comment period runs for thirty (30) days and will expire on January 25, 2014. DOH-CWB will consider all comments and requests made during this timeframe and will make a determination on the necessity of a public hearing in regards to the Ko Olina Marina project if they determine that there is significant public interest in the matter based upon the comments received. If DOH-CWB’s position is substantially unchanged after consideration of all timely comments then the NPDES permit will be issued in favor of KOD.

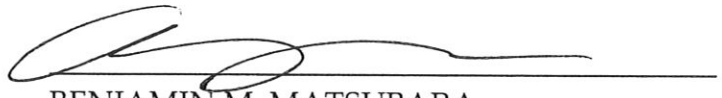
KOD engineers are already in the process of finalizing the bid package and selection of bidders. Once the NPDES permit is finalized and issued, KOD will proceed with issuance of the bid for the construction of the boat launch ramp project.

III. CONCLUSION

KOD will continue to provide its quarterly report on the status of the boat launch ramp at the end of each quarter.

Dated: Honolulu, Hawai'i January 16, 2014.

OF COUNSEL:
MATSUBARA – KOTAKE
A Law Corporation



BENJAMIN M. MATSUBARA
CURTIS T. TABATA
WYETH M. MATSUBARA
Attorneys for KO OLINA DEVELOPMENT,
LLC

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**HISTORIC PRESERVATION DIVISION
DEPARTMENT OF LAND AND NATURAL RESOURCES**

601 Kamokila Boulevard, Suite 555
Kapolei, HI 96806

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KILA'AINA
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

November 12, 2013

Mr. David Shideler
Cultural Surveys Hawai'i, Inc.
P.O. Box 1114
Kailua, Hawaii 96734

LOG NO: 2013.5925
DOC NO: 1311SL11
Archaeology

Dear Mr. Shideler:

**SUBJECT: Chapter 6E-42 and National Historic Preservation Act (NHPA) Section 106 Review –
Archaeological Assessment Ko Olina Marina Improvements
Honouliuli Ahupua'a, 'Ewa District, Island of O'ahu
TMK: (1) 9-1-057:024**

Thank you for the opportunity to review this revised report titled *Archaeological Assessment Ko Olina Marina Improvements Honouliuli Ahupua'a, 'Ewa District, O'ahu Island TMK: (1) 9-1-057:024* (Stine and Hammatt, October 2013). We received this submittal on October 18, 2013.

In our review of the U.S. Army Corps of Engineers (Corps) submittal for the Ko Olina Marina Improvement project we requested an archaeological inventory survey of the project area within TMK: (1) 9-1-057:024 and archaeological monitoring of the project area within TMK: (1) 9-1-057:019 (December 6, 2012; Log No. 2012.3466, Doc. No. 1212SL10). The entire project area for the AIS and the archaeological monitoring components consists of 4.12 acres.

This report pertains only to the archaeological inventory survey (AIS) conducted within TMK: (1) 9-1-057:024 on behalf of Ko Olina Ocean Marina, LLC in support of the aforementioned Ko Olina Marina Improvement project. The AIS involved a 100% pedestrian survey of the entire 5.07 acres of TMK: (1) 9-1-057:024, although the project area within this parcel totals only 0.95 acres. This change reflects a decision made by the client and archaeological contractor to survey the entire parcel which had not been previously subjected to an AIS, rather than limiting the survey to the 0.95-acre current project portion of the parcel.

The AIS project area is located within the Barber's Point Archaeological District, designated as SIHP #50-80-12-2888, which is listed on the National Register of Historic Places. No previously- or newly-identified historic properties were documented within the 5.07-acre survey boundaries. Due to the absence of historic properties within the survey area, the report is designated an archaeological assessment in accordance with Hawaii Administrative Rules (HAR) §13-284-5(b)(5)(A). The report provides adequate discussions of the environs, cultural and historical background, previous investigations, field methods, and field findings. Due to the absence of historic properties within the survey area, the effect recommendation is "no historic properties will be affected" by the proposed project. In addition, the findings indicate that prior disturbance has reduced the probability of encountering yet unidentified historic properties. As such, the mitigation recommendation is "no further work." We concur with the effect and mitigation recommendations.

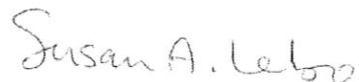
The revisions adequately address the questions and concerns raised in our earlier correspondence (September 24, 2013; Log No. 2013.3491, Doc. No. 1309SL23). This report meets the requirements specified in HAR §13-276-5 and in the *Secretary of the Interior's Standards for Archaeological Documentation*. It is accepted by SHPD. Please send one hardcopy of the document, clearly marked FINAL, along with a copy of this review letter and a text-searchable PDF version on CD to the Kapolei SHPD office, attention SHPD Library.

EXHIBIT "A"

Mr. Shideler
November 12, 2013
Page 2

Please contact me at (808) 692-8019 or at Susan.A.Lebo@hawaii.gov if you have any questions or concerns regarding this letter.

Aloha,

A handwritten signature in cursive script that reads "Susan A. Lebo". The signature is written in dark ink and is positioned above the printed name and title.

Susan A. Lebo, PhD
Oahu Lead Archaeologist

By ANNA C. HIRAI
Acting Administrator

(SA587199 12/26/13, 1/2/14)

Public Notice Public Notice Public Notice

NOTICE OF PROPOSED WATER POLLUTION CONTROL PERMIT FOR KO OLINA MARINA KAPOLEI, ISLAND OF OAHU NPDES PERMIT NO. HI S000223

DOCKET NO. HI S000223

December 26, 2013

The Department of Health (DOH) tentatively proposes to issue a National Pollutant Discharge Elimination System (NPDES) permit to discharge storm water associated with construction activity to receiving State waters, subject to special conditions to:

KO OLINA OCEAN MARINA, LLC
1100 ALAKEA STREET, 25TH FLOOR
HONOLULU, HAWAII 96813

The proposed permit for the new discharge will expire five (5) years from the date of issuance.

The project is located adjacent to Kekai Place and the Ko Olina Marina, Kapolei, Hawaii, TMK: (1) 9-1-057-019. The project is to develop the landside mauka portion of the Marina parcel with additional facilities which will supplement the existing Marina. Work will be done in two (2) phases with the first phase including the installation of a new public access boat launch ramp, boat trailer parking, access roads and associated facilities for the boat ramp. For Phase II, there will be additional boat trailer parking installed and development of a commercial building. For this scope of work only Phase I is being considered and a separate NPDES permit application will be required for the Phase II work. Construction activities include site grading, utility installation, roadway and parking construction, and landscaping.

Best Management Practices (BMPs) for storm water runoff and non-storm water sources will be implemented to minimize the discharge of erosion and other pollutants from entering receiving State waters. In addition, BMPs for the boat ramp construction are specified under the Section 401 Water Quality Certification and Department of the Army permits issued for this project. Post construction BMPs shall include permanent stabilization of disturbed areas (e.g., concrete and A.C. paving), the establishment of a new on-site drainage system, and landscaping.

The receiving water, Ko Olina Marina, Discharge Point 1, From (Latitude 21°19'49" N and Longitude 158°07'01" W) and Discharge Point 1, To (Latitude 21°19'47" N and Longitude 158°07'01" W), is classified by the DOH as a Class A, Marine Water, Embayment.

Persons wishing to comment upon or object to the proposed NPDES permit or to request a public hearing, should submit their comments or requests in writing no later than 30 calendar days after the date of this notice, either in person or by mail, to:

Clean Water Branch
Environmental Management Division
Department of Health
919 Ala Moana Boulevard, Room 301
Honolulu, HI 96814-4920

Copies of the proposed public notice permit and other information are available for public inspection, Monday through Friday (excluding holidays) from 7:45 a.m. until 4:15 p.m., at the DOH office address shown above. Copies may be bought. The public notice permit and rationale are also available on the internet at: <http://health.hawaii.gov/cwb/site-map/home/public-notices-and-updates>. For more information or if you have special needs due to disability that will aid you in inspecting and/or commenting on the public notice permit and related information, please contact Mr. Darryl Lum, Supervisor of the Engineering Section, Clean Water Branch, at the above address or (808) 586-4309 (Voice) at least seven (7) calendar days before the comment deadline. For those who use a TTY/TDD, please call through Sprint Relay Hawaii, at 1.711 or 1-877-447-5991.

All comments and requests received on time will be considered. If DOH determines that there is significant public interest, a public hearing may be held after at least 30 calendar days of public notice.

If DOH's position is substantially unchanged after considering all timely written comments and all oral comments at any public hearing that may be held, then the DOH will issue the NPDES permit and this action will be final.

Please notify anyone you know who would be interested in this matter.

Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health

(SA587041 12/26/13)

Persons who wish to testify for or against the granting of a license may either testify in person at the Liquor Commission meeting or submit a written protest to the Administrator of the Commission three (3) working days prior to the date and time of the hearing.

Persons who wish to testify for or against the granting of a license may either testify in person at the Liquor Commission meeting or submit a written protest to the Administrator of the Commission three (3) working days prior to the date and time of the hearing.

You are further notified that Section 281-59, Hawaii Revised Statutes, reads in pertinent part: "Upon the day of hearing, or any adjournment thereof, the liquor commission shall consider the application and any protests and objections to the granting thereof, and hear the parties in interest, and shall within fifteen days thereafter give its decision granting or refusing the application; provided that if a majority of the registered voters for the area within five hundred feet of the nearest point of the premises for which the license is asked or a majority of the owners and lessees of record of real estate and owners of record of shares in a cooperative apartment within five hundred feet of the nearest point of the premises for which the license is asked have duly filed or caused to be filed their protests against the granting of the license upon the original application, or if there appears any other disqualification under this chapter, the application shall be refused. Otherwise, the commission may in its discretion grant or refuse the same."

You are further notified that Section 281-39.5, Hawaii Revised Statutes, reads in pertinent part: "The Liquor Commission or agency of each county may deny or restrict the issuance of a liquor license for on-site sale and consumption by the drink to any applicant whose establishment is or would be located within five hundred feet of a public or private elementary, intermediate, or high school, or public playground utilized extensively by minors, as determined by the Liquor Commission of each county; provided that the Liquor Commission or agency of each county shall deny the issuance of a liquor license if forty per cent of the registered voters for the area within five hundred feet of the nearest point of the premises for which the license is asked; or owners and lessees of record of real estate and owners of record of shares in a cooperative apartment within five hundred feet of the nearest point of the premises for which the license is asked; have duly filed or caused to be filed their protests against granting the license."

1. Application No.: 1552
Applicant: Illuminati Group LLC
Trade name: Klatsen Café Bar and Lounge
Place of business: 500 Ala Moana Boulevard, 5G, Honolulu, Hawaii
(Waterfront Plaza; ground floor)
License applied for: Restaurant General (Category No. 2 - A premises in which live entertainment or recorded music is provided. Facilities for dancing by the patrons may be permitted as provided by Commission rules.) - (Consumption on premises)
2. Application No.: 1556
Applicant: Monsoon India Inc.
Trade name: Monsoon India Inc.
Place of business: 1778 Ala Moana Boulevard, Suite 213, Honolulu, Hawaii
(Discovery Bay Center, second level)
License applied for: Restaurant General (Category No. 2 - A premises in which live entertainment or recorded music is provided. Facilities for dancing by the patrons may be permitted as provided by Commission rules.) - (Consumption on premises)
3. Application No.: 1576
Applicant: RAE Entertainment Group LLC
Trade name: Cabarae Hawaii
Place of business: 2005 Kalia Road, Space TT10-1, Honolulu, Hawaii
(Hilton Hawaiian Village)
License applied for: Dispenser General (Category No. 3 is a premises in which live entertainment or recorded music is provided. Facilities for dancing by the patrons may be permitted as provided by Commission rules.) - (Consumption on premises)

Dated: December 20, 2013

LIQUOR COMMISSION OF THE
CITY AND COUNTY OF HONOLULU
MICHAEL S. YAMAGUCHI, Chairman

By ANNA C. HIRAI
Acting Administrator

(SA587290 12/26/13, 1/2/14)

Subscribe Today: 538-NEWS (6397)

his/her Courtroom, 870 Fourth Street, Pearl City, Hawaii, on the

FEB 27 2014 at 9:00 o'clock, a.m. If you attorney fail to attend the Court hearing at t and place designated, default and default ju will be taken against you for the relief dema the Complaint

DATED: Honolulu, Hawaii, NOV 25 2013.
E. BARRERO (SEAL)
CLERK OF THE ABOVE-ENTITLED (

(SA580889 12/5, 12/12, 12/19, 12/26/13)

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT OF HAWAII SUMMONS "STATE OF HAWAII" TO: A MAY CLARKE, and RANDALL PALMER KAMOH CLARKE YOU ARE HEREBY NOTIFIED THAT BJ AMERICA, N.A., SUCCESSOR BY MERGER T HOME LOANS SERVICING, LP FKA COUNT HOME LOANS SERVICING LP, has filed a C against you in that action filed as Civil No. 13- In the Circuit Court of the THIRD Circuit, S Hawaii, seeking foreclosure of the property loc 11-3504 PLUMERIA STREET, MOUNTAIN VI 96771-0000, TMK: (3) 1-1-039-032-0000, I you may claim an interest, for sums due on an Note and Mortgage and for other relief as is ju equitable. YOU ARE HEREBY SUMMONED to before the Honorable Glen S. Hara, Judge of the entitled Court, in his courtroom in the Circuit C the THIRD Circuit, on JANUARY 27, 2014, at 8: or to file an answer or other pleading and s before said day upon RCO Hawaii, LLC, attorn Plaintiff BANK OF AMERICA, N.A., whose add 900 Fort Street Mall, Suite 800, Honolulu, HI 9 If you fail to do so, judgment by default will be against you for the relief demanded in the Com DATED: Hilo, Hawaii, NOV 25, 2013. I GLA (SEAL) CLERK OF THE ABOVE-ENTITLED COURT (SA583591 12/12, 12/19, 12/26/13, 1/3/14)

IN THE DISTRICT COURT OF THE FIRST CIRCUIT
EWA DIVISION
STATE OF HAWAII
SUMMONS

STATE OF HAWAII
TO: DEFENDANTS JOHN JOSEPH KUNKEL and D GLEED KUNKEL

YOU ARE HEREBY NOTIFIED that Plaintiff ASSOCI OF APARTMENT OWNERS OF PALM VILLAS has i Complaint against you in Civil No. LRC13-1-287 District Court of the First Circuit, Ewa Division, St Hawaii, whereby said Plaintiff Association of Apar Owners of Palm Villas prays for a judgment damages in amounts to be shown, and an aw costs and fees, including attorneys' fees incur connection herewith.

YOU ARE HEREBY SUMMONED to appear before District Judge of the above-entitled Court, in hi Courtroom, 870 Fourth Street, Pearl City, H on Thursday, the 20th day of Feb 2014 at 9:00 o'clock, a.m. If you or your attorn to attend the Court hearing at the time and designated, default and default judgment will be against you for the relief demanded in the Compl

DATED: Honolulu, Hawaii, NOV 22 2013.
M. TORRES (SEAL)
CLERK OF THE ABOVE-ENTITLED CO

(SA580932 12/5, 12/12, 12/19, 12/26/13)

IN THE CIRCUIT COURT OF THE SECOND CIRCUIT OF HAWAII SUMMONS "STATE OF HAWAII" TO: AR MICHAEL MARTEN AND LYNETTE JOY MARTEN YOU HEREBY NOTIFIED THAT JPMORGAN CHASE & NATIONAL ASSOCIATION has filed a Complaint against you in that action filed as Civil No. 13-1-0561, the Circuit Court of the SECOND Circuit, Stal Hawaii, seeking foreclosure of the property locat 5160 LOWER HONOPULUHI ROAD, LAHAIHI 96761, TMK: (2) 4-3-003-101-0000, in which may claim an interest, for sums due on an unpaid and Mortgage and for other relief as is just equitable. YOU ARE HEREBY SUMMONED to ap before the Honorable PETER T. CAHILL Judge of above-entitled Court, in his/her courtroom in Circuit Court of the SECOND Circuit, on JAN 2014, at 8:15 AM or to file an answer or other plea and serve it before said day upon RCO Hawaii, I attorneys for Plaintiff JPMORGAN CHASE & NATIONAL ASSOCIATION, whose address is 900 Street Mall, Suite 800, Honolulu, Hawaii 96813 you fail to do so, judgment by default will be against you for the relief demanded in the Compl DATED: Waikuku, Hawaii NOV 25 2013. /s/gd/ J. J (seal) CLERK OF THE ABOVE-ENTITLED COURT (SA583844 12/12, 12/19, 12/26/13, 1/2/13)

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In The Matter Of The Petition Of)	Docket No. DR08-36
)	
KO OLINA DEVELOPMENT, LLC)	KO OLINA DEVELOPMENT, LLC
)	
To Amend The Agricultural Land Use)	
District Boundary into the Urban Land)	
Use District for approximately 642 acres)	
At Honouliuli, Ewa, Oahu, Tax Map)	
Keys: 9-1-14: Portion of Parcel 2; 9-1-15:)	
3, 6, 7, 10, Portion of Parcel 4; 9-2-03: 3,)	
7, Portion of 2)	
_____)	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a file-marked copy of the foregoing document was duly served upon the parties listed below **VIA HAND DELIVERY** on January 16, 2014:

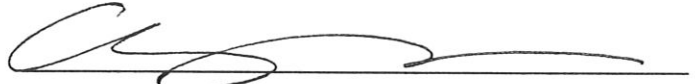
JESSE SOUKI, Director
Office of Planning, State of Hawai'i
235 South Beretania Street, 6th Floor
Honolulu, Hawai'i 96813

BRYAN C. YEE, ESQ.
Deputy Attorney General
Department of the Attorney General
425 Queen Street
Honolulu, Hawai'i 96813

Attorney for THE OFFICE OF
PLANNING

Dated: Honolulu, Hawai'i January 16, 2014.

OF COUNSEL:
MATSUBARA – KOTAKE
A Law Corporation

A handwritten signature in black ink, appearing to be 'Benjamin M. Matsubara', written over a horizontal line.

BENJAMIN M. MATSUBARA

CURTIS T. TABATA

WYETH M. MATSUBARA

Attorneys for KO OLINA DEVELOPMENT,
LLC